

## **II. RESPONSE TO RESTRICTION REQUIREMENT**

Claims 9-21, 23-35, 52, 54, and 56-84 have been amended to even more particularly point out and claim the subject matter of the claims. Claims 85-86 have been added. Claims 8, 22, and 53 have been canceled. Claims 9-21, 23-35, 52, and 54-86 are pending in the present application.

The claims are presented herein with the accompanying Amendments in view of the claims as Applicant believes them to stand following the Examiner's amendments described in the Detailed Action accompanying the Notice of Allowance and Fee(s) Due mailed January 4, 2005, and in the Examiner's Amendment accompanying the Supplemental Notice of Allowability mailed February 14, 2005.

### **A. The Examiner Interview**

Applicant thanks the Examiner for granting an interview with Applicant's representative, William W. Enders, on August 31, 2005 during which the outstanding Restriction Requirement was discussed.

During the interview, the Examiner stated that the statement in paragraph 4, page 3, of the Restriction Requirement that "Currently, no claims are generic" should be ignored as it is incorrect with regard to aircraft type. Thus, it is Applicant's understanding that the Examiner agrees that the pending claims include claims generic to aircraft type.

During the interview, Applicant's representative pointed out that with regard to the Species Election requirement, that Commercial aircraft include both Passenger types of aircraft and Cargo Plane types of aircraft.

Applicant's representative and the Examiner also discussed claim amendments to be submitted with this response to the restriction requirement. These include amendments to the pending system claims to convert these system claims to method claims, and the elimination of some of the limitations of the pending system claims in conjunction with conversion of these claims to method claims. The Examiner indicated that such amendments were acceptable.

**B. Election of Claims**

Group I: previous claims 8-19, 22-32, 35, 52, 57, 58, 61-76 and 81-84; and

Group II: previous claims 20, 21, 33, 34, 53-56, 59, 60 and 77-80.

In response, Applicant elects to prosecute Group II, or previous claims 20, 21, 33, 34, 53-56, 59, 60 and 77-80, without traverse. In this regard, previous system claims have been amended as discussed above to be method claims for inclusion with the claims of Group II. In addition, new claims 85-86 have been added as method claims of Group II.

**C. Species Election**

In response to the Species Election requirement, Applicant elects the following species enumerated by the Examiner in paragraph 4 of the Office Action:

Applicant elects “Commercial” aircraft type. As herewith amended, claims 9-21, 23-35, 52, and 54-86 are readable thereon. Furthermore, at least claims 9-21, 23-35, 52, 55-56, 58-80, and 82-86 are generic to aircraft type. As discussed above, each of a Passenger aircraft and a Cargo Plane aircraft may be a Commercial aircraft, *i.e.*, Commercial aircraft include both Passenger aircraft and Cargo Plane aircraft.

Applicant elects “Wide Bodied” fuselage construction. As herewith amended, claims 9-21, 23-35, 52, and 54-86 are readable thereon. Furthermore, at least claims 9-21, 23-34, 55-56, 58-62, and 85-86 are generic to the enumerated fuselage constructions.

Applicant elects “In the cargo hold” cargo container location. As herewith amended, claims 9-21, 23-25, 27-28, 30-35, 52, and 54-67, 69, 71-72, and 74-86 are readable thereon. Furthermore, at least claims 9-21, 23-24, 30-35, 52, 54, 56-60, 63-66, 75-81, and 85-86 are generic to the enumerated cargo container locations. In this regard, Applicants note that a baggage hold is a type of cargo hold, *i.e.*, the term “cargo hold” includes baggage hold cargo container locations.

Applicant elects “A segregated interior” tank construction. As herewith amended, claims 9-21, 23-35, 52, and 54-86 are readable thereon. Furthermore, claims 9-21, 23-35, 52, and 54-86 are generic to the enumerated interior tank constructions.

Applicant elects “Automatic” dispersal actuation. As herewith amended, claims 9-21, 23-35, 52, and 54-86 are readable thereon. Furthermore, claims 9-21, 23-35, 52, and 54-86 are generic to the enumerated dispersal actuations.

Applicant elects “Side Loading” cargo loading location. As herewith amended, claims 9-21, 23-35, 52, 54-67, 69, 71-72, and 74-86 are readable thereon. Furthermore, at least claims 9-21, 23-35, 52, 54-66, 75-81, and 85-86 are generic to the enumerated cargo loading locations.

Applicant elects “Pseudo Cargo Containers” cargo container type. As herewith amended, claims 9-21, 23-35, 52, and 54-86 are readable thereon. Furthermore, 9-21, 23-35, 52, and 54-86 are generic to the enumerated cargo container types.

**D. Conclusion**

Applicants submit that the pending claims are in condition for allowance.

Reconsideration of the application and claims is courteously solicited.

The Examiner is invited to contact the undersigned attorney at (512)-347-1611 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

  
William W. Enders

Reg. No. 41,735

Attorney for Applicants

O'Keefe, Egan & Peterman, LLP  
1101 S. Capital of Texas Highway  
Building C, Suite 200  
Austin, Texas 78746  
512/347-1611  
FAX 512/347-1615

Date:

9/27/05